

# Exhibit 4

**From:** [Charles J. Paternoster](#)  
**To:** [Garcia, Norman - SOL](#)  
**Subject:** Additional production and responses  
**Date:** Thursday, October 28, 2021 1:52:56 PM  
**Attachments:** [image001.png](#)  
[Attachments.html](#)

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Norm,

Thanks for your follow up. Attached please find a sharefile link to additional documents, SENVOY\_DOL 007299 - 007472.

In addition, we have attempted to answer several of the questions from your previous email – both in the body of your email and the redlined responses to my previous correspondence (yellow highlighted and bolded) below.

As a final note, I was hoping that you might have some availability tomorrow or early next week to talk about additional issues and where things go from here. Let me know if you've got a few minutes to talk.

Thanks,  
Chip

**From:** Garcia, Norman - SOL <[Garcia.Norman@DOL.GOV](mailto:Garcia.Norman@DOL.GOV)>  
**Sent:** Monday, October 25, 2021 1:46 PM  
**To:** Charles J. Paternoster <[CPaternoster@pfglaw.com](mailto:CPaternoster@pfglaw.com)>  
**Subject:** RE: Additional documents and responses - Senvoy

Hi Chip,

Thank you for the additional information and documents.

My responses are below in red.

Also, you did not comment about TKM's land that was missing from BSN 23 in terms of valuation and land identification. We also need the documentation detailing the legal description of the land, property tax records and the valuation of the land.

- **Norm, let's talk about this first question – I'm not sure the client is clear what is being requested here.**
- **With respect to your second question, Defendants note the following, found in the Property Tax Records. Provided today are the 07/01/2021-06/30/2022 Real Property Tax Statements. These were retrieved from Clackamas County Assessment & Taxation**

website (Please note 6=1 PDF, i.e. that there is more than 1 page).

- **Property Tax Records**

- **Acct: 00050811**
  - **MAP: 12E28DC02800**
  - **Legal Description: Section 28 Township 1S Range 2E Quarter DC TAX LOT 02800**
- **Acct: 00050820**
  - **MAP: 12E28DC02801**
  - **Legal Description: Section 28 Township 1S Range 2E Quarter DC TAX LOT 02801**
- **Acct: 00050875**
  - **MAP: 12E28DC03201**
  - **Legal Description: Section 28 Township 1S Range 2E Quarter DC TAX LOT 03201**
- **Acct: 00050857**
  - **MAP: 12E28DC03100**
  - **Legal Description: Section 28 Township 1S Range 2E Quarter DC TAX LOT 03100**
- **Acct: 00050866**
  - **MAP: 12E28DC03200**
  - **Legal Description: Section 28 Township 1S Range 2E Quarter DC TAX LOT 03200**
- **Acct: 00050704**
  - **MAP: 12E28DC01900**
  - **Legal Description: Section 28 Township 1S Range 2E Quarter DC TAX LOT 01900**

You also did not comment about the other 6-10 vehicles that Senvoy owns to include three driven by his daughters **(Note: the Brazie's have three children: two sons and one daughter)** that were not documented on BSN 23. We need the information for them to include value and how much is still owed on them, if any. We also need the documents to support the valuation and the amounts owed for these vehicles.

### **5 Vehicles**

- **Owned vehicles (3):**

- **2017 Ford Transit Connect**
  - **Value: \$14,915 (#91, 90,921 miles) See: Kelley Blue Book Trade in Value (1), provided today.**
  - **Balance: \$0**



- **2015 Nissan NV200**
  - **Value: \$8,121 (#92, 121,419 miles) See: Kelley Blue Book Trade in Value (1), provided today.**
  - **Balance: \$0**
- **2015 Nissan NV200**
  - **Value: \$7015 (#93, 135,922 miles) See: Kelley Blue Book Trade in Value (1), provided today.**
  - **Balance: \$0**
- **Financed vehicles (2)**
  - **2018 Ford F150 Raptor**
    - **Value: \$61,042**
      - **See: Kelley Blue Book Trade in Value (1), provided today.**
    - **Balance: \$32,904.87**
      - **See: 2018 F150 – 10.24.21 Ford Credit Statement (1), provided today.**
  - **2018 Ford Mustang**
    - **Value: \$61,506**
      - **See: Kelley Blue Book Trade in Value (1), provided today.**
    - **Balance: \$28,305.46**
      - **See: 2018 Mustang – 10.26.21 Ford Credit Statement (1), provided today.**
- **Son #1 – drives his own car.**
- **Daughter – drives the Expedition also.**
- **Son #2 – drives his own car.**

Lastly, at the exam, Mr. Brazie did not know why there was a recurring payment for over \$2K a month for Newrez-Shellpoinach. See BSN 6665-6669. Please provide us the documentation to support these payments.

- **Defendants note that this was a mortgage payment for an employee. Defendants do not have any loan documents related to this payment.**

Thanks,



Norm

Norman E. Garcia  
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**From:** Charles J. Paternoster <CPaternoster@pfglaw.com>  
**Sent:** Friday, October 22, 2021 9:49 AM  
**To:** Garcia, Norman - SOL <Garcia.Norman@DOL.GOV>  
**Subject:** Additional documents and responses - Senvoy

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Norm,

Following up on my previous email, attached is additional information as well as a link to additional documents. In an effort to get you this information as quickly as possible, I am sending along those responses and answers which have been completed, and noted where Defendants are still working on others. Along with this email, please find a share file link for additional documents SENVOY\_DOL2021\_007238-007298.

I am beginning with the list from my first email, understanding that there were a couple of additional items from our correspondence as well.

Chip

**1. Mr. Brazie referenced a 2015 Ford Expedition driven by his wife. This vehicle does not appear on any vehicle list. Mr. Brazie testified he thought the vehicle previously belonged to Senvoy. I have asked for information/details on this vehicle.**

**The Ford Expedition is a 2016 (not 2015), VIN 1FMJK1MT6GEF08541. This vehicle was financed and belonged to Senvoy. The title is in Tennessee, and as of 10/15/2021, title is still in Senvoy's**

name.

I need to know more than it is financed. I need to know what its value is and how much is still owned on it and documents to support these valuations.

- The 2016 Ford Expedition was financed through Senvoy's Ford Credit financing program.
- Value: \$24,696
  - See: Kelley Blue Book Trade in Value (1), provided today.
- The vehicle has been paid off and there is no balance due.
- The title is physically in Tennessee with Mr. and Mrs. Brazie.
- The title has not been transferred out of Senvoy's name.

2. Mr. Brazie mentioned the sale of 2 Buicks to private owners roughly 4-5 years ago. I have asked that he provide detail/documents related to those sales.

Defendants located documents related to the sales of certain vehicles in the last 5 years. Where possible, we are providing documents related to the sales of these vehicles.

- 06/16/2017
  - 1961 Buick LaSabre
  - Defendants were unable to locate any documents related to the sale of this vehicle other than an email requesting this vehicle be removed from Mr. Brazie's insurance because it was sold. Defendant's belief is that there was initially an effort to sell this vehicle through Portland Mecum Auction. After the vehicle did not initially sell, a private party contacted Mr. Brazie and ended up purchasing it from the auction site.
- 08/19/2017
  - Sold at Mecum Auction, \$22,577.03
    - 1999 Ultra Ground Pounder \$4,500
    - 1964 Pontiac Catalina \$7,000
    - 1955 Chevrolet Panel \$11,077.03
  - See:
    - 09.08.2017 – Mecum checks x2 (1), provided today.
    - 09.22.2017 – Mecum check (1), provided today.
- 06/23/2018
  - 1960 Buick LaSabre, sold \$43,000 (2 wires to Mr. Brazie's personal account. \$3,000 and \$40,000)

06/29/2018 \$40,000 deposited into Senvoy. GL code 385 – Member's Contributions

- See:
  - 1960 Buick LaSabre – Bill of Sale (1), provided today.
  - 1960 Buick LaSabre – Wire Verification Letter (1), provided today.
  - 1960 Buick LaSabre – DMV Reported Sold (1), provided today.

- 02/21/2019

- 2010 BMW, sold \$14,000 (cashier's check deposited into Mr. Brazie's personal account)
- 02/21/19 \$14,000 (\$11,000 and \$3,000) deposited into Senvoy. GL code 385 – Member's Contributions
- See:
  - 2010 BMW – 02.21.19 bill of sale (1), provided today.
  - 2010 BMW – 02.2019 check from sale (1), provided today.

3. We have previously stated that there are no documents related to the loan with Bryan Ludwick, which I believe was consistent with Mr. Brazie's testimony yesterday. That said, I believe Mr. Brazie said that they had information with respect to the amount owed on the loan. I have asked that he provide this information and also confirm again that there are no documents related to that loan.

Defendants are still working on providing this information.

See comments to item 4 below since Ludwick appears twice

- Let's talk about this one as well. This is another one the client does not understand and simply directed me the comments below related to the 11/17/2017 transaction with Mr. Ludwick.

4. The Point West Credit Union documents (Exhibit 6) referenced loans taken on certain vehicles. Mr. Brazie testified about these and said that the money from these loans were taken and put back into Senvoy. I have asked that Defendants provide any documentation about these loans.

- 05/03/2017


- Financed 2006 Mustang, \$40,611.10 (deposited into Mr. Brazie's personal account)
- See:
  - 2006 Ford Mustang – 05.03.2017 loan docs (1), provided today.
  - Loan docs – 2006 mustang 05.03.2017 (1), provided today.



11/17/2017

- Loan from Bryan Ludwick, \$25,000 (deposited into Mr. Brazie's personal account)
- 11/17 deposited into Senvoy, \$25,000

No documentation was provided regarding the loan from Ludwick in terms of what was the total loan provided and how much remains on the loan. Also, no documentation was provided supporting this alleged loan of \$25K in Nov. 2017 or that Senvoy received it. If the loans were taken at different times, needed to know when they were taken.

- 
- Defendants note (I believe this was previously stated), there are no official documents related to this transaction, it was simply a verbal agreement.
  - Defendants further note that the loan was a check to Mr. Brazie of \$25K which he deposited into his personal account and then the same money was moved and deposited into Senvoy's account.
  - There was a loan of \$25K and an amount owed to his company. That amount still has a balance of approximately \$4K. Defendants are searching the system for the original amount due and the last email with the balance owed.

• 08/30/2018

- Financed 2013 Raptor, \$40,000 (deposited into Mr. Brazie's personal account)
- 08/30 personal check #1316 paid to Tapani, Inc, \$25,000
- 09/28 personal check #1317 paid to Tapani, Inc, \$15,000
- See:
  - 2013 Ford Raptor – Point West CU refi check (1), provided today.
  - 2013 Ford Raptor – 08.30.18 loan docs, provided today.

5. Same for NW Mutual Insurance. Mr. Brazie testified about using the insurance proceeds/policies as basically a "line of credit" in recent years. I have asked that Defendants provide any documents/information about those loans/payoffs/timing.

Defendants are still working on providing this information.

Insurance companies provide statements and I have been requesting this information for weeks. I still need documents showing the cash value too that I sought before the Debtor's exam.

- Attached today please find the current statements. That said, Defendants recognize that these do not show transactions on prior loans and payments and have previously requested (and followed up) seeking full transaction details because the annual statements do not show all the history. Defendants have been informed that they should have this information by the end of the week.
- By way of further explanation, Defendants noted 4 examples of loans

deposited directly into Senvoy's account – these are all coded GL 385 –  
Member's Contributions:

- 10/22/2019 (\$57,769.80 & \$49,000)
- 10/23/2019 (\$50,000)
- 02/27/20 (35,000)

6. There was reference to a Farmer's Life Insurance premium of \$18.83 being paid. Mr. Brazie didn't know about it, but I have asked that they try and track down information related to this policy.

To date, Defendants have been unable to locate any additional documents or information about this premium or any policy associated with it.

Has anyone contacted Farmer's?

- Defendants are trying to find a contact person at Farmer's with any information about this, but have so far been unable to get any additional information.

7. The ledgers also references payments on a Citicard account (I think credit card), with which Mr. Brazie was not familiar. I have asked that they track down information about this account.

The Citicard is Mrs. Brazie's personal Costco card. Defendants additionally note that all amounts are coded to GL code 600.40 (Guaranteed Payments) and that these amounts flow directly through as income on the Brazie's tax returns.

Please provide a copy of one 2021 statement so that I can see whose name(s) are on the account.

- See:
  - Costco Citi Card – 08.16.2021 Statement (Brazie, Kathrynne) (1), provided today.

8. There are withdrawals on 6/10/20 for 325K and then on 6/12/20 for 85K. I have asked Defendants for additional information/details/documents related to these transactions.

Following up on my earlier email, Defendants can confirm that \$325,000 and \$85,000 (total \$410,000) were funds wired to Sussman Shank LLP (Portland attorneys) to be held in escrow for a TKM Investment Properties, LLC refinance transaction. On 10/02/2020, two wires were returned to Senvoy from Sussman Shank LLP when the transaction did not happen. Those transactions/wires were for \$398,927.20 and \$6,736.90 (\$405,664.10). The difference in the amounts was due to fees owed to Sussman Shank LLP, which were deducted from the return wires.

9. There is also an entry related to a 150K check on 6/5/20. I have asked Defendants for



additional information/details/documents related to these transactions.

The 150K entry dated 6/5/20 was Senvoy paying its account payable invoices that were due to ZoAn Management Inc.

- 03/01/2020 \$15,000 (balance due)
- 04/01/2020 \$45,000
- 05/01/2020 \$45,000
- 06/01/2020 \$45,000

Please provide invoices.

- See:
  - Invoice Nos. 559, 560, 561 & 561 (4), provided today.

10. I have asked Defendants to provide the detail related to the Sunstone debt(s) – including the original notes/payoff/security in the Wyeast property, etc. In addition, on a larger level, I have asked Defendants to produce basically ANYTHING that shows debts that we haven't previously provided, if such documents exist. For example, [1] while we have discussed and provided information about the Umpqua lawsuit and judgment, providing additional detail related to the amounts still owed to Umpqua bank after their lawsuit; [2] while the Department of Labor is aware of judgments taken by the State of Oregon against Senvoy and other defendants related to wage claim lawsuits, providing detail about the amounts of the judgments to the State of Oregon; and [3] providing documents related to any and all guarantees signed by the entities or Mr. Brazie personally, etc. While I believe that several of these have been provided, I asked the client to re-affirm that there are no others out there.

While defendants are still working on tracking down additional information, we are providing additional documents today detailing amounts owed by particular defendants, including information related to Sunstone Finance. I don't believe any of these are new, but these additional documents update information regarding current balances, etc.

Brazie identified a lien of \$3.5M on 11/11/20. What you provided me on Friday was a document showing an alleged debt of \$5.139M as of 1/31/21. How did the debt increase by \$2.6M in less than 90 days?

- See:
  - Grouped documents starting with each date.
    - 2017.12.31 (5), provided today.
    - 2018.05.01 (5), provided today.
    - 2018.08.01 (5), provided today.
    - 2018.10.01 (5), provided today.
    - 2019.11.18 (5), provided today.

We have requested from Umpqua Bank information about the current balance and expect to have that shortly.



The current amount owed to the State of Oregon arising from certain unemployment claims is \$1,377,083.19. Attached please find the 10/01/2021 Statement of Account for the State of Oregon.

Why was this debt not identified earlier? Are there any other debts?

- I would note that the Department of Labor has been aware of the State of Oregon unemployment litigation for several years as well as the ultimate determination by the Court resulting in a judgment. In addition to discussions with counsel regarding this matter over several years, the litigation was a topic at Mr. Brazie's deposition during the course of the litigation, and, in fact, the Department cited the decision of the Administrative Law Judge in the State of Oregon Unemployment Matter in its Motion for Summary Judgment (and included it as an exhibit) as part of its argument related to willfulness.

The amount owed to the Compass Group, LLC (Tapani) is estimated to be \$463,750. Defendants additionally note that the Note is for \$493,234.45 and 3 payments have been made totaling \$29,483.87. Defendants are obtaining these documents and will produce them.

Attached with this email, please find additional documents related to the WyEast property, including the September – Wyeast statements. These amounts total \$319,954.64 (See Select Portfolio 09/14/2021 statement) and \$49,168.22 (See SunTrust 09/24/2021 statement.)

We are also producing today information related to the Sunstone Business Finance debt, which currently stands at \$5,139,641.62. Attached with this production, please find a 02/12/2021 Email with loan balances as of 01/31/2021.

What is the current balance?

Defendants have requested the balance due and will provide this information as soon as it is received.

CHARLES J. PATERNOSTER *Partner*

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